



06-18-08

180/1645

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PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/547,999	
		Filing Date	September 7, 2006	
		First Named Inventor	PORTNOY, DANIEL A.	
		Group Art Unit	1645	
		Examiner Name	Not Yet Assigned	
Total Number of Pages in This Submission		6 + Refs	Attorney Docket Number	BERK-017CIP
ENCLOSURES (check all that apply)				
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)		<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): SB08A (1 pg); Copy of Australian Examination Report dated May 17, 2007 (3 pg); References (5); Return receipt postcard
Remarks				
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT				
Signing Attorney/Agent (Reg. No.)	BRET E. FIELD, 37,620 BOZICEVIC, FIELD & FRANCIS, LLP			
Signature				
Date	June 15, 2007			
EXPRESS MAIL LABEL NO. EV 687 639 405 US				

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**INFORMATION
DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(e)**

Address to:
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attorney Docket	BERK-017CIP
First Named Inventor	PORTNOY, DANIEL A.
Application Number	10/547,999
Confirmation No.	6366
Filing Date	September 7, 2006
Group Art Unit	1645
Examiner Name	Not Yet Assigned
Title:	<i>"SITE SPECIFIC LISTERIA INTEGRATION VECTORS AND METHODS FOR USING THE SAME"</i>

Sir:

Applicants submit herewith patents and/or publications which may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. § 1.56. While this Statement may be "material" pursuant to 37 C.F.R. § 1.56, it is not intended to constitute an admission that any patent, publication, or other information referred to therein is "prior art" for this invention unless specifically designated as such. A listing of patents and/or publications is shown on enclosed Form PTO-SB/08A and a copy of each patent and/or publication is also enclosed.

Each item of information contained in the Information Disclosure Statement filed herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement (37 C.F.R. 1.97(e)(1)). A copy of the communication is enclosed for the Examiner's convenience.

The Examiner is requested to make the citations listed on the enclosed PTO-SB/08A of record in this application. Applicants would appreciate the Examiner initialing and returning the initialed copy of form PTO-SB/08A, indicating the references have been considered and made of record herein.

No fee is believed due as this statement is being submitted within three months of the mailing date of the enclosed foreign communication. However, if it is determined that fees are required, the Commissioner is hereby authorized to charge any necessary fees associated with this communication or credit any overpayment to Deposit Account No. 50-0815, Order No. BERK-017CIP.

Respectfully submitted,

BOZICEVIC, FIELD & FRANCIS LLP

Date: June 15, 2007

By: 

Bret E. Field, Reg. No. 37,620

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

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Complete if Known

Application Number	10/547,999
Filing Date	September 7, 2006
First Named Inventor	PORTNOY, Daniel
Art Unit	1845
Examiner Name	Not Yet Assigned
Attorney Docket Number	BERK-017CIP

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number Number-Kind code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Page, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Foreign Patent Document Country Code*Number*Kind Code* (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ³
/P.D./		WO 02/08431	01-31-2002	FRANCIS KP et al		<input type="checkbox"/>
						<input type="checkbox"/>
						<input type="checkbox"/>

NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, pages, volume-issue number(s), publisher, city and /or country where published.	T ²
/P.D./		AUTRET N et al "Identification of New Genes Involved in the Virulence of <i>Listeria monocytogenes</i> by Signature-Tagged Transposon Mutagenesis" Infection and Immunity (Apr 2001) 69(4):2054-2065	<input type="checkbox"/>
/P.D./		FORTINEAU N et al "Optimization of green fluorescent protein expression vectors for in vitro and in vivo detection of <i>Listeria monocytogenes</i> " Res Microbiol (2000) 151:353-360	<input type="checkbox"/>
/P.D./		SCHAFERKORDT S et al "Vector Plasmid for Insertional Mutagenesis and Directional Cloning in <i>Listeria spp</i> " Bio Techniques (Nov 1995) 19:720-725	<input type="checkbox"/>
/P.D./		SHEN H et al "Recombinant <i>Listeria monocytogenes</i> as a live vaccine vehicle for the induction of protective anti-viral cell-mediated immunity" Proc Natl Acad Sci USA (Apr 1995) 92:3987-3991	<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

Examiner Signature	/Patricia Duffy/	Date Considered	03/28/2008
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a checkmark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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